

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>05-187 (ESH)</b>
<b>v.</b>	:	
	:	
<b>MARK CALLAHAM</b>	:	
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**EMERGENCY MOTION TO WAIVE APPEARANCE AT STATUS HEARING**

Mark Callaham, through undersigned counsel, respectfully moves this Honorable Court, to waive his personal appearance at the status hearing on Wednesday, November 23, 2005. In support of this motion, counsel states the following:

1. Mr. Callaham is on personal recognizance in this matter.
2. Mr. Callaham, through counsel, rejected the plea offer today.
3. Mr. Callaham's god brother was killed last week and the funeral is scheduled for Wednesday morning. Counsel has spoken with him and discussed with him the issues to be discussed at the status hearing tomorrow. He is willing to waive his appearance for this status hearing. Obviously, he has notice of the Monday trial date.
3. Counsel has been in contact with Anthony Scarpelli, the Assistant United States Attorney assigned to this matter but has not been able to determine his position.

WHEREFORE, for the foregoing reasons and for such other reasons that may appear meritorious to the Court, Mark Callaham and counsel respectfully request that this Honorable Court grant this motion and sign the attached order.

Respectfully submitted,

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